

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
June 22, 2010**

1. Present

Commissioners:

Sherwood Bishop, Chair
Bill Taylor, Vice-Chair
Randy Bryan
Bucky Couch
Jude Prather
Curtis O. Seebeck
Jim Stark
Chris Wood
Chris Wood
Travis Kelsey

City Staff:

Chuck Swallow, Development Services Director
Matthew Lewis, Development Services Assistant Director
Francis Serna, Recording Secretary
Sofia Nelson, Senior Planner
Phil Steed, Planner
John Foreman, Planner
Abigail Gillfillan, Planner

2. Call to Order and a Quorum is Present.

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Bishop at 6:00 p.m. on Tuesday June 22, 2010 in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

3. Chairperson's Opening Remarks.

Chair Bishop welcomed the audience.

4. NOTE: *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*

5. Citizen Comment Period

Diane Wassenich, 11 Tanglewood, said she objected to using the word "SmartCode" constantly because you should not name something to change people's minds before they have time to learn about it. Ms. Wassenich commented that the SmartCode was too much change at once. She commented that the citizens have a lot of questions about the SmartCode. Ms. Wassenich mentioned that the city is already 75-80% apartments and that's all anyone wants to build anymore because you can make a lot of money on a piece of land for apartments. She added that there are a lot of commercial uses that are incompatible with neighborhoods. She stated she

understands that the city wants density and make pedestrian friendly place to live. But, density is not the only thing that makes an area pedestrian friendly. Ms. Wassenich told the Commission that they should be asking if the downtown area currently allowing a certain number of bars compared to two bars per block going to be more than what it is now. She asked if there would be twice the number of bars in downtown. Ms. Wassenich advised the Commission to look closely at any section of the code that states, Director approval.

James Baker 727 Belvin, asked the Commission to vote against the SmartCode outside the downtown area. He stated that he is one hundred percent in support of the Downtown Master Plan and hopes to see great improvements from the Plan. Mr. Baker said that he read the Downtown Master Plan carefully and noted that it does not state that transect coding for areas outside of the downtown area. Mr. Baker stated that the notice given for the Charrette did not indicate zoning changes outside the downtown study area. He said property owners do not buy homes to live next to businesses. He said if his property is zoned to T4 a bar or restaurant can be open by right within twenty five feet of his home. Mr. Baker stated that the DRC (Development Review Committee) is unknown number of people from each regulatory agency having jurisdiction over permitting of a project that can be processed administratively. He commented that the DRC takes away basic remedy for property owners against drastic building use changes adjacent to their properties. Mr. Baker asked the Commission to vote against the applying the SmartCode outside the downtown area.

Polly Wright, 1134 W. Hopkins, stated that her concern is strictly for the heritage part of San Marcos. She said that the Heritage Neighborhood does not want any more businesses. Ms. Wright explained that they have worked hard to create a historic district and would like to keep it that way. She asked the Commission to please leave the heritage neighborhoods alone. Ms. Wright pointed out that allot of people come to San Marcos to visit the heritage neighborhoods.

Thea Dake, 220 N. Johnson Avenue stated she was present to protest the City's plan adoption of the SmartCode. She stated that she and her husband moved to San Marcos because of its charm, size and it's Historical District. Ms. Dake said she serves on the Historic Preservation Commission and the Historic Association of San Marcos. She felt that the City does not have the same agenda as many of its residents as it applies to the SmartCode. Ms. Dake commented that San Marcos is threatening their neighborhoods instead of protecting them making it easier for them to deteriorate and decline. She mentioned that she felt the notification was inadequate. Ms. Dake stated she was in favor of revitalizing the downtown but should not encroach in established neighborhoods. She felt that the City did not advertise, promote or hold multiple public forums in regards to the SmartCode that affects the entire community. She respectfully requested that the Commission as residents of the community deny the smart code in Historical neighborhoods.

6. CUP-10-12. Hold a public hearing and consider possible action on a request by Chase Katz for a Conditional Use Permit to allow on premise consumption of mixed alcoholic beverages at 336 W Hopkins Street.

Chair Bishop opened the public hearing. Chase Katz, 225 Comanche, spoke in support of the request. He pointed out key points why he felt the business is ideal for the location; the business will restore a historic building in downtown. Mr. Katz stated that he has spoken to the neighbors, Crystal River Inn. Mr. Katz explained that they have made improvements by removing the U-Haul truck and sand blasting the building. He said another key point is that they are not requesting amplified music. In addition, the business lends itself to walk ability and bike ability in the area. He added that they will have a unique garden. Mr. Katz stated that he would be available to answer questions.

Brenda Smith, owner of 321 W. Hopkins, asked what type of surface would be used on the parking lot. Chase Katz stated that he is planning on keeping the parking lot as it is. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Prather and a second by Commissioner Couch, the Commission voted all in favor to approve CUP-10-12 with the conditions that the CUP shall be valid for an initial approval period of one (1) year, provided standards are met, subject to the point system; the applicant shall submit plans and an application for the facility to the Health Department, meet all State Food Rule Requirements, obtain Food Handler Training for employees, and request a permit inspection; all parking spaces shall meet dimensional requirements in the LDC; any required parking to be located off-site shall receive all required approvals, and the applicant shall plat the property when required by the LDC. The motion carried unanimously.

7. CUP-10-13. Hold a public hearing and consider possible action on a request by Jonathan Ellis, for a Conditional Use Permit to allow a hookah bar (smoking lounge) in a Community Commercial (CC) zoning district at 700 N LBJ Drive, Suite 113.

Chair Bishop opened the public hearing. There were no citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Prather and a second by Commissioner Seebeck, the Commission voted eight (8) for and (1) opposed to approve CUP-10-13 with the condition that the CUP be valid for an initial one (1) year period to evaluate the impact on the neighborhood. The motion carried. Commissioner Stark voted no.

8. CUP-10-14. Hold a public hearing and consider possible action on a request by Sean Greenberg, on behalf of Plucker's Wing Bar, for a renewal of a Conditional Use Permit to allow the on-premise consumption of mixed alcoholic beverages at 105 N IH 35.

Chair Bishop opened the public hearing. Mr. Rich Patel, 811 S. Guadalupe, owner of the hotel next door to Plucker's, stated that at the last meeting, he had a lot of complaints due to loud music. Mr. Patel advised the Commission that since the last meeting, he has not received any complaints and that there has not been any music played in the last six months. He pointed out if there wasn't any loud music, he did not have any issues.

Shawn Greenberg, 2000 Mistlewood Drive, Austin, TX, 78746 stated that he met with Rich and discussed numerous items and worked out some solutions. Mr. Greenburg explained that they moved speakers around and made sure the music was cut off at the appropriate times. He commented that they are not a rock bar but a beer garden atmosphere that people can come and enjoy. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Taylor and a second by Commissioner Seebeck, the Commission voted all in favor to approve CUP-10-14 with the conditions that the CUP be valid for two (2) years; live music be played no later than 10:30 PM Sunday through Wednesday, 11:00 PM on Thursday, and midnight on Friday and Saturday; and the applicant comply with the noise standards as they exist or as amended. The motion carried unanimously.

9. Hold a public hearing and consider action on amending the Land Development Code to include a provision establishing a new Section 4.2.2.9 entitled San Marcos SmartCode and Transect Zones.

Matthew Lewis gave a brief explanation of the San Marcos SmartCode.

Chair Bishop opened the public hearing.

Wayne Kramer, 733 Belvin, commented that the SmartCode did not work for other cities and doesn't feel it has a place in San Marcos. Mr. Kramer stated that the Downtown Master Plan does not include the Historic Districts. He felt that the SmartCode is not a community vision and the neighborhoods do not support mixed use neighborhoods. He said that the current zoning works and that the SmartCode may help downtowns that are vacant. Mr. Kramer pointed out that San Marcos received the 1st Ladies Treasure Award because what San Marcos is not what San Marcos is going to be. He said San Marcos received the award because of the quality of the local neighborhoods and because we have a vibrant downtown. Mr. Kramer asked the Commission to reject the request.

Charles Blue, 1001 W. San Antonio Street, stated he has enjoyed his property for the last 27 years. He pointed out that he does not see a problem with implementing the SmartCode to the downtown area. Mr. Blue stated his concern is with the T4 being dropped in the middle of the residential area. He added that the building height requirements in T4 allow two to three stories and a few taller buildings. Mr. Blue explained that the alleyway is the boundary between his backyard and the T4 zoning. He feels that a Sanctuary Lofts will be created in his back yard. Mr. Blue commented that we are not in a position to make decisions outside of the downtown area.

Diana Baker felt that they did not know that public forums were being held nor what was going on. She pointed out that what bothers her most is that she has not had time to read the SmartCode and the process. Ms. Baker stated that people of the community are being violated.

Jean Baggett, 726 W. Hopkins stated that she received notice and she lives in the Heritage Neighborhood. Ms. Baggett said that she attended three or four of the charrettes. She mentioned that there were approximately 20-25 folks that attended the meeting that she attended. Ms. Baggett said that she decided to educate herself regarding the new Code. She researched online at other cities that are in the process of implementing the Code. Ms. Baggett pointed out that the City of Hutto added a Historic Zone. She added that Farmers Branch, Texas is the shining star of Code in which they have won numerous awards. Ms. Baggett mentioned that she called the Andy Gillis, Director of Planning, Farmers Branch, Texas and asked how it was working for their city. She explained that it is working for Farmers Branch because they targeted small areas to initiate the Form Based Code. Ms. Baggett said she was against the request.

Rodney VanOudekerke stated that initially he was advised that the SmartCode was for the downtown area. He pointed out that he previously was Chair of the Historic Preservation Commission and is in support of anything that will help downtown. Mr. VanOudekerke stated that he received the notice and did not understand it and could not read the map on the back. He pointed out that he does support the SmartCode in the downtown area but is not in support the SmartCode being applied to the neighborhoods. He asked the Commission to take time to reevaluate the request. He said the neighborhoods are fine.

Peter Bowman, 716 W. Hopkins asked how zoning was done. He said his property went from residential to T4 (Commercial), which does not make sense to him. Mr. Bowman explained that he can currently walk to a variety of locations and businesses in town. He added that he was confused when he heard that City Offices plan to move to Hunter Road. Mr. Bowman added that he would like answers to questions and that there was need for additional consideration before a decision was made. He said he thinks starting downtown is a good start but leave out of neighborhoods.

Dave Newman, 128 E. Holland Street, stated he was present on behalf of The Main Street Board Design Committee stated that they had a visit from Planning staff at the Board meeting. Mr. Newman stated that they have concerns with the downtown area which include lack of architecture standards in the Form Based Code; height of buildings, the Main Street Board consensus is to keep the height to four stories; and the conditional use permit aspect of the Code. He explained that the patrolman for the downtown area have relayed their concerns regarding incidents in the downtown area. He stated that the 2:00 a.m. bar hours are causing more

problems that the police can handle. Mr. Newman commented that they would like to keep the CUP process.

Ron Yager, resident of San Antonio Street explained that in 1981 he was instrumental in creating the San Antonio Historic District and assisted in drafting the Ordinance. He said that the idea at the time was to preserve what they had when there were several encroachments going on. He pointed out that the area was not near as nice as it is now. Mr. Yager stated they took the matter into their own hands and resolved the problems. Things are better except for the intrusions that have come by the side streets which are not part of the Historic District.

Rose Robles owns property in front of Mana's asked what the intentions for the property are. Staff explained that T3 zone is residential and that the transect for the area is single family. Sofia added that it is important to mention that an allowance for a small retail establishment on a corner lot that is required to serve 300 homes.

Monica McNabb, speaking on behalf of the Government Affairs Committee for the San Marcos Area Board of Realtors said their issue is specific to the Downtown as defined by the Master Plan and new development. She said if the intent is to enhance downtown; prevent sprawl; reduce environmental impact and increase community which are all great objectives. However, she stated that the SmartCode contradicts the objects that are laid out in the Code. Ms. McNabb stated that since the Code was not available until last Thursday, she strongly encouraged the Commission to revise the DUA matrix. She provided a memo to the Planning Commission.

Karen Smith stated that she and her husband, Grayson live at 620 W. San Antonio Street for twenty years, which is located in the San Antonio Historic District. She explained that her house is currently zoned single family and that the SmartCode map proposes T4. Ms. Smith stated that her home is 122 years old and over an acre of land. The home is registered in the National and State Registry. She added that she had a lot of questions and concerns that she could not get answered by the time of the meeting. Ms. Smith asked the Commission to hold off on the approval of the SmartCode in any areas other than the downtown area.

Amy Kirwin, 1141 Martin Luther King stated she was happy with the SmartCode in general with the downtown area. She explained that she has had many phone calls from residents in Victory Gardens, Dunbar, Heritage and Westover regarding the T zones and what they mean. She stated that the residents have not heard about the SmartCode. Ms. Kirwin commented that she thinks that the Commission should postpone the request to allow more education in the neighborhoods.

H.C. Kyle, 711 W. San Antonio Street stated that his backyard is looked down on by apartments next door. Mr. Kyle explained that he lives in a big old house and asked if he doesn't change the appearance of the home, how many people are allowed to lease the house. Staff advised Mr. Kyle that T4 is proposed unrestricted for single family occupancy restrictions. Mr. Kyle stated he grew up in the house and told the audience not to let it happen.

Shawn Welch, 529 Harvey Street stated that he attended the Charrette's in April. He said he is interested in the SmartCode and that there are many interesting ideas about it. Mr. Welch explained that when he went to the meetings he did not think that we would be in an adoption stage at this time. He said that the process is moving too fast and should be slowed down. Mr. Welch felt that staff should get input from neighbors because he doesn't think anyone on his street was advised. He commented that they are not part of the historic district.

Jackie Albright, 726 W. San Antonio Street commented that she wanted to explain what happens in T4 zoning. She explained that the old Simmons House on Endicott Street is a small three bedroom, two bath houses that were occupied by six people. Ms. Albright further explained that before the owners moved, they built an art studio, which housed four or five people. She pointed out that an old oak tree died and has been recently removed. Ms. Albright added that when she was moving along the fence line of the property she was attacked by bees living in a hollow tree on the property. She also mentioned that a day care facility is located across from her property facing Hopkins Street.

Matt Chambers, 160 S. Fredericksburg, stated he was representing citizens who were part of the meeting and Charrette's and is very appreciative of the democratic process. He said he is hearing from a lot of people who did not attend the meetings and who are in the neighborhoods. He understands that the process began with the Downtown Master Plan which evolved into including the Historic Districts. Mr. Chambers continued as an owner of three downtown properties, he does encourage that the downtown district continue forward and that the proposal for the Form Based Code in the Historic District not impede development in the downtown area. He added that he is impressed with the City and the process.

Jake Walden, 1017 Burleson Street, which is not included in the proposed zoning, stated that he has been in construction his whole life and has dealt with Planning Commissions, Planning and Development, and Capital Improvements. Mr. Walden explained that he has seen what this type of system can do to a neighborhood. He said it would be wonderful in downtown and has seen it work. Mr. Walden added that he has seen what it has done to historic districts and commented that the Commission should be careful, slow down and think about what they are doing. He mentioned that he knew that the code has been in the works for two years but this is the first he has heard of it.

Sharon Stewart stated that she and her sister own the property at the corner of Mitchell Street and MLK. She said that there have been plenty of people that have asked them what they are going to build on the property and if it's going to be a three story building. She felt it necessary to attend the meeting and listen to what people had to say. Ms. Stewart mentioned that she currently lives in Driftwood. She mentioned that it is interesting and a good thing to bring in new concepts of community. She stated that one main reason for wanting to keep the property in her family is that she wants to maintain the integrity of the land. She pointed out that the house was built in 1925. Ms. Stewart stated that there are ways to make walkable communities that have various corner store properties that will fit into the area. She pointed out that sometimes communities get stuck and not move forward. She said it is very important to look at other communities and see what and how they have created walkable communities.

Speaker name unknown, resident at the corner of Bishop and Belvin Streets stated that the Charrette's were completely off his radar. He said that the SmartCode has serious flaws and needs considerable revision. He pointed out that the property next to his is proposed to be zoned T4.5. He added that uses allowed in T4.5 would not allow him to remain living in his home. He also mentioned that he is concerned about the property value of his home. He added that when he bought his house they were looking for a historic home. He asked that if his property must be rezoned that he requests that his property be changed to T3.

There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Bryan, the Commission voted seven (7) for and two (2) opposed, to postpone action on amending the Land Development Code to include a provision establishing a new Section 4.2.2.9 entitled San Marcos SmartCode and Transect Zones to the July 27, 2010 Planning and Zoning Commission meeting. The motion carried. Commissioners Stark and Taylor voted no.

10. Hold a public hearing and consider action on a future land use map amendment for an area generally bounded by Oscar Smith Drive, Lindsey Street, University Drive, CM Allen Pkwy, I-35, Dixon Street, Brown Street, Kasch Street and Burt Street from Mixed Use, Open Space, Industrial, Public and Institutional, Heavy Commercial, Neighborhood Commercial, Commercial, High Density Residential, Medium Density Residential, and Low Density Residential to G4(Growth Area 4), G3(Growth Area 3), O1(Open Space 1), or O2(Open Space 2).

Chair Bishop opened the public hearing.

Camille Phillips, resident of Franklin Drive, commented that the SmartCode may be a useful tool downtown but is very opposed to having it the neighborhoods. She stated that she was offended that people in the Historic District that have money are more important than people in Guadalupe and Victory Gardens whose neighborhoods are not quite as expensive. Ms. Phillips pointed out that she did some research and found that it took Miami four years and four hundred meeting to adopt the code. She felt that the process is moving way to fast. Ms. Phillips pointed out a different issue stating that as of last Tuesday, the City and Craddock Avenue Partners Development Agreement has not been filed at the Hays County Records Building. She said that the City is in violation of their own agreement and State Law.

Rodney VanOudekerke, 323 Scott Street stated he appreciates that the Commission has shown concern and cannot be an easy decision. He pointed out that he is a retired police officer and has never been called wealthy. Mr. VanOudekerke mentioned that we should be careful when talking about homes and neighborhoods. He explained that because his house is 120 years old that is not more important than a house with 100 sq. ft. He mentioned that this is not about money, but what is best for The City of San Marcos.

There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Stark and a second by Commissioner Prather, the Commission voted all in favor to postpone item #10 to the July 27, 2010 Planning and Zoning Commission meeting. The motion carried unanimously.

11. Hold a public hearing and consider action on a zoning change for an area generally bounded by Oscar Smith Drive, Lindsey Street, University Drive, CM Allen Pkwy, I-35, Dixon Street, Brown Street, Kasch Street and Burt Street from MF-24 (Multi-family), SF-6 (Single Family Residential), D (Duplex), TH(Townhouse Residential District), SF-4..5 (Single Family Residential), PH-ZL(Patio Home-Zero Lot Line), PDD (planned development District), P (Public and Institutional), OP(Office Professional), NC(Neighborhood Commercial) , MU (Mixed Use), MR(Manufactured Home Restricted), MF-18 (Multi-Family), MF-12 (Multi-Family), LI (Light Industrial), HI (Heavy Industrial), HC (Heavy Commercial), GC (General Commercial), D (Duplex), CC (Community Commercial), CBA (Central Business Area) to T1 (transect 1), T2 (transect 2), T3 (transect 3), T3.5 (Transect 3.5), T4 (Transect 4), or T5 (Transect 5).

Chair Bishop opened the public hearing.

Ryan Perkins, 727 W. Hopkins, thanked the Commissioners for their time and willingness to serve the Community. He stated he agrees with his neighbors and asked the Commission to deny the agenda item in order to give the community sufficient time to understand the SmartCode as it pertains to the neighborhoods. Mr. Perkins added that he is in support of the SmartCode as it pertains to the downtown area and specific areas around downtown that may need that identity.

Wayne Kramer, 722 Belvin, echoed Mr. Perkins comments. He felt that the Commission was in agreement to exclude the Historic Districts and asked that they include the request in their motion. Mr. Kramer felt that the SmartCode should be presented to the neighborhoods and let them decide what provisions they want in the neighborhoods.

Grace Neil, resident at the corner of Endicott and Martin Luther King stated that she did not receive a notice and a few years ago she was not in the Historic District. She added that the new map indicates she is currently in the Historic District. Ms. Neil commented that she does not understand why Dunbar is being considered part of the SmartCode.

Gloria Deladillo, 327 S. Guadalupe St., said the property is currently residential and doesn't understand what it has to do with the SmartCode. She added that she doesn't approve of the SmartCode because she doesn't understand it. She felt that people want to protect their property. Ms. Deladillo commented that the SmartCode would be fine in the downtown but not in residential areas. She added that she would like to know what is going to happen with the burned down building adjacent to the back of her property.

Peter Bowman, 716 W. Hopkins, thanked the Commissioners for their work on the SmartCode and their consideration. In addition, he asked the Commission to consider denying the request. He felt that there are issues with residential homes changing to commercial. Mr. Bowman stated that he would like to defuse the comment that all the people who live in the Historic District are rich people because not all people are rich in the Historic Districts.

Camille Phillips commented that if she gave the impression of us against them, she apologized. She mentioned that there are far more people present from the Historic District than from Victory Gardens or East Guadalupe. Ms. Phillips pointed out that people in Victory Gardens or East Guadalupe are as equally important neighborhoods.

Unknown speaker asked the Commission to deny the request. He suggested that the SmartCode be structured to exclude the Historic Districts and only include Downtown.

Virginia Araba, 613 Moore Street, stated she is open to new and bettering downtown San Marcos. She is not clear and asked if they could have more time and be better educated on the SmartCode. Ms. Araba asked the Commission to postpone the request to allow her time to understand the SmartCode.

There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Stark and a second by Commissioner Couch the Commission voted all in favor to postpone the request to the July 27, 2010 Planning and Zoning Commission meeting. The motion carried unanimously.

There was a 15 minutes recess.

12. Hold a public hearing and consider revisions to the following sections of the Land Development Code: Section 1.6.1.3 Platting Exemptions, Section 1.6.6.6- Maintenance and Warranty of Improvements, Table 4.1.6.1, Land Use Matrix, Section 5.5.1.1 Tree Preservation Standards, Section 6.7.2.1 Lot Size Minimum, Section 6.4.2.1 Noise Ordinance, Section 6.2.1.1 Off Street Parking Standards, Section 4.5.3.7 Special Exception Requirements, Section 7.4.2.3 Sidewalk Requirements, Section 7.4.1.4- Street lighting requirements, Chapter 5 Water Quality Standards and Chapter 8 Glossary.

Chair Bishop opened the public hearing.

Monica McNabb, Government Affairs Chair for the entire Board of Realtors stated they had an opportunity to meet with Mr. Lewis and staff for about two or three hours which was very productive. She added that they worked through allot of issues. Ms. McNabb referred to a memo she provided to the Commission and requested that the Commission table the sections marked yellow and approve the sections marked green. She thanked staff for the time spent to review the proposed revisions to the Land Development Code.

There were no citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Stark and a second by Commissioner Bryan, the Commission voted all in favor the revisions to the following sections of the Land Development Code: Section 1.6.1.3 Platting Exemptions; Section 1.6.6.6- Maintenance and Warranty of Improvements; Table 4.1.6.1, Land Use Matrix with the exclusion of IH-35 Overlay; Section 6.7.2.1 Lot Size Minimum; Section 6.4.2.1 Noise Ordinance; Section 6.2.1.1 Off Street Parking Standards; Section 4.5.3.7 Special Exception Requirements; Section 7.4.2.3 Sidewalk Requirements; and Chapter 8 Glossary. The motion carried unanimously.

13. Hold a public hearing and consider action on a proposed Pro-Rata Assessment Ordinance.

Chair Bishop opened the public hearing. There were no citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Prather, to recommend to City Council the approval of the Pro-Rata Assessment Ordinance. The Commission voted all in favor. The motion carried unanimously.

14. Discussion Items.

Commission members and staff may discuss and report on items related to the Commission's general duties and responsibilities. The Commission may not take any vote or other action on any item other than to obtain a consensus regarding items that will be placed on future agendas for formal action.

There were no items discussed.

Planning Report

There was no Planning Report.

Commissioners' Report

There was no Commissioner's Report.

15. Consider approval of the minutes from the Regular Meeting of June 8, 2010.

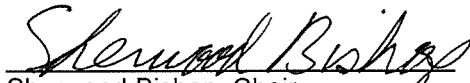
MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Prather, the Commission voted all in favor to approve the minutes from the Regular Meeting of June 8 2010. The motion carried. Commissioner Couch abstained.

16. Questions and answers from the Press and Public.

There were no questions from the press and public.

13. Adjournment

Chair Bishop adjourned the Planning and Zoning Commission at 9:40 p.m. on Tuesday, June 22, 2010.




Sherwood Bishop, Chair



Jim Stark, Commissioner



Chris Wood, Commissioner



Randy Bryan, Commissioner



Travis Kelsey, Commissioner

ATTEST:



Francis Serna, Recording Secretary




Bill Taylor, Commissioner



Jude Prather, Commissioner



Curtis Seebeck, Commissioner



Bucky Couch, Commissioner